



05-07-01

A

NON-PROVISIONAL  
UTILITY PATENT APPLICATION  
TRANSMITTAL - 37 CFR 1.53(b)

☐ Duplicate  
(check, if applicable)



Assistant Commissioner for Patents  
BOX PATENT APPLICATION  
Washington, DC 20231

Attorney Docket No. 9596-42U3 (053893-5008-02)  
First Named Inventor: Siegel  
Express Mail Label No. EL719362924US  
Total Pages of Transmittal Form: 2

Transmitted herewith for filing is the non-provisional utility patent application entitled:

**Rh(D)-BINDING PROTEINS AND MAGNETICALLY ACTIVATED CELL SORTING METHOD FOR  
PRODUCTION THEREOF**

which is:

an ☐ Original; or

a ☐ Continuation, ☒ Divisional, or ☐ Continuation-in-part (CIP)  
of prior U.S. Application No. 09/240,274 filed on January 29, 1999.

☐ This non-provisional patent application is based on Provisional Patent Application No. \_\_\_, filed \_\_\_.

Enclosed are:

- ☒ Specification (including Abstract) and claims: 133 pages.
- ☐ Newly unexecuted Declaration (original/copy).
- ☒ Copy of Declaration from prior application.
- ☐ Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).
- ☒ 42 sheets of drawings (formal) plus one copy.
- ☐ Microfiche computer program (Appendix).
- ☒ Nucleotide and/or Amino Acid Sequence Submission, including:
  - ☐ Computer readable copy ☒ Paper Copy (115 pages)
  - ☒ Verified Statement (Copy from 09/240,274)

**PLEASE TRANSFER SEQUENCE DISKETTE Filed On May 12, 1999 FROM  
APPLICATION NO. 09/240,274 TO THE PRESENT APPLICATION.**

- ☐ Under PTO-1595 cover sheet, an assignment of the invention.
- ☒ An assignment of the invention to: The Trustees of the University of Pennsylvania  
Recorded May 17, 1999 at Reel 009974, Frame 0529 (is not enclosed)
- ☐ Certified copy(ies) of \_\_\_ Application No(s). \_\_\_ filed \_\_\_ is/are filed:
  - ☐ herewith or ☐ in prior application \_\_\_.
- ☒ Applicants, by their undersigned attorney, claim Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☒ a Non-Profit Organization.
- ☒ Preliminary Amendment.
- ☒ Information Disclosure Statement, PTO-1449. (4 sheets) [original references not included, since they were filed in related U.S. Application No. 09/240,274]

The filing fee is calculated as follows:

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE:			BASIC FEE:	
			\$355			\$710	
Total	20-20 =	0	X9	\$0	OR	X18	\$
Independent	2- 3 =	0	X40	\$0	OR	X80	\$
[ ] Multiple Dependent Claims Present			\$135	\$	OR	\$270	\$
			TOTAL	\$ 355.00	OR	TOTAL	\$

- [ ] The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts.
- [X] A check in the amount of \$ 355.00 to cover the filing fee is enclosed.
- [X] The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-0310 (Billing No. 053893-5008-02)** as noted below. A duplicate copy of this sheet is enclosed.
- [X] Any overpayments or deficiencies in the above-calculated fee.
- [ ] Filing fee in the amount of \$\_\_\_\_\_ as calculated above.
- [X] Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.
- [X] In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

**CORRESPONDENCE ADDRESS:**

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(Date)

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Enclosures  
1-PH/1411537.1

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THE DATE INDICATED BELOW.

BY: Martha O. Helent

Date: May 12, 1999

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re: Patent Application of :  
Donald L. Siegel : Attention:  
: **Box Sequence**  
Appln. No.: **09/240,274** :  
: Filed: January 29, 1999 :  
: For: Rh(D)-Binding Proteins and : Attorney Docket  
Magnetically Activated Cell Sorting : No. **9596-42U2 (K-1855)**  
Method for Production Thereof :

**STATEMENT TO SUPPORT FILING AND SUBMISSION  
IN ACCORDANCE WITH 37 CFR §§ 1.821 THROUGH 1.825**

- (X) I hereby state, in accordance with the requirements of 37 C.F.R. §1.821(f), that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. §1.821(c) and (e), respectively are the same.
- (X) I hereby state that the submission filed in accordance with 37 C.F.R. §1.821(g) does not include new matter.
- ( ) I hereby state that the submission filed in accordance with 37 C.F.R. §1.821(h) does not include new matter or go beyond the disclosure in the international application as filed.
- ( ) I hereby state that the amendments, made in accordance with 37 C.F.R. §1.825(a), included in the initial/substitute sheet(s) of the Sequence Listing are supported in the application, as filed, at pages \_\_\_\_\_. I hereby state that the substitute sheets(s) of the Sequence Listing does(do) not include new matter.
- ( ) I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. §1.825(b), is the same as the amended Sequence Listing.

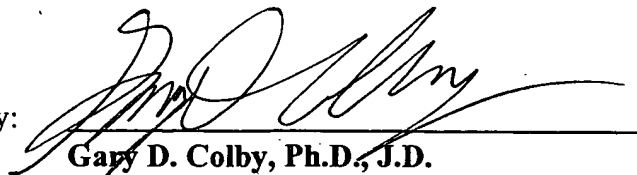
( ) I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. §1.825(d), contains identical data to that originally filed.

Respectfully submitted,

**DONALD L. SIEGEL**

May 12, 1999  
(Date)

By:



**Gary D. Colby, Ph.D., J.D.**

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Enclosures